

City of Harrington
MINUTES
City Council Workshop
January 11, 2012

A workshop with the Harrington City Council was held on January 11, 2012 and was attended by the following: Mayor Robert E. Price, Jr.; Vice Mayor Cheryl Lahman; Council Member Duane E. Bivans; Council Member Fonda Coleman; Council Member Wayne Porter; Council Member Jack Stewart; Council Member Kenneth Stubbs; William Pepper, City Solicitor; Teresa Tieman, City Manager; and Kelly Blanchies, Clerk of Council.

Also in attendance: Madeleine Russell from Delaware Nature Society

Mayor Price called the meeting to order.

The Pledge of Allegiance was given.

Clean Water Presentation by Madeleine Russell from Delaware Nature Society

Mayor Price stated that since Ms. Russell was having technical difficulties with her presentation, we would move to the next agenda item and come back to her.

Personnel

Code Enforcement costs

The City Manager stated that she prepared a sheet showing what was spent in October, November, and December based on the salaries of the two employees and the URS code enforcement invoices. URS invoices are not broken down, so the amounts are estimated, and no invoices were available for December.

Vice Mayor Lahman asked who initiated the district sweeps. Mayor Price stated that the City Planner had presented the program to the Council.

Council Member Porter stated that Public Works has also pointed out issues and asked what was that advantage of having Code Enforcement if Public Works is identifying violations. The City Manager stated that once Public Works identifies something then the Code Enforcement Officer can cite it.

Vice Mayor Lahman asked that since we are spending \$5,000 a month, how much has been made in income from the sweeps. The City Manager

stated that the purpose of inspections is not to generate revenue. The Code says that you have to be convicted of a violation instead of being found to be in violation.

Vice Mayor Lahman asked what the City is gaining in improvement. The City Manager stated that Brenda Bradley felt that the City needs to focus more on property maintenance. The City Manager stated that the whole City needs to be in good shape.

Vice Mayor Lahman asked if a full time Code Enforcement Officer is needed. The City Manager stated that she thinks full time code enforcement is needed, but it should be more aggressive and more assertive code enforcement. The City Manager stated that the Code Enforcement Officer feels that previously his hands were tied, and we are working through that, and it will take time and documentation.

Council Member Stewart stated that at this cost, we need to speed this process up. If there are loopholes then they need to be repaired. Mayor Price stated that now that the City is at full staff, we need to do it ourselves.

Council Member Porter stated that ordinances need to be toughened up. The City Manager stated that tonight we will have a plan to get that done.

The City Manager stated that there are two more district sweeps to do, and she would like a consensus on what the Council would like to do. Mayor Price stated that the Code Enforcement Officer should handle them, no outside help is needed. Vice Mayor Lahman stated that sweeps should be done every day. The City Manager stated that she has reviewed the work load, and in an eight hour work day, asking for eight to ten violations is not unreasonable.

Mayor Price asked if Saturday inspections have continued. The City Manager stated that Brenda Bradley had worked on Saturdays, and she would like to see that continued once or twice a month.

Council Member Stewart stated that he went along when his district was swept. Visible house numbers seemed to be the only issue. He did not see anything else being focused on. The City Manager stated that there are more serious issues that need to be addressed. If there is a roof or a house ready to collapse and endanger someone, you want that fixed.

Mayor Price asked if everyone agrees that it should all be in house instead of having someone walk around with the Code Enforcement Officer. He thinks that is not very cost effective.

Vice Mayor Lahman stated that a way to do it would be to walk the streets. You cannot see things while driving by at twenty-five miles an hour. So many streets could be done a week or a day. Mayor Price stated that a lot of the problems can be seen while driving. The City Manager stated that Brenda Bradley did a lot of walking; she drove to a destination then got out and walked. You have to talk to people and know what is going on and why things are the way they are.

The City Manager stated that the Code Enforcement Reports do state that customers are being talked to, but talking does not always get a job done then it is your word against his. We developed a sheet that is carbon, you leave one copy with the customer, that needs to be used with any violation. Council Member Stewart questioned what these conversations with customers even pertain to.

Council Member Bivans asked if the City Manager checked the accuracy of the costs because he has seen the Code Enforcement Officer riding in Public Works vehicles and with Public Works employees. The City Manager replied that at one point a vehicle was in for maintenance and another time they were working together to identify potential projects for the Community Development Block Grant.

The City Manager clarified that what she understood from the Council is that they do not want to use any more consultants or contractors, and we want to step up the program on property maintenance, and we want to be more aggressive and see more results.

Council Member Stewart stated that he has not seen a report where anything is resolved. Council Member Bivans asked if there is a checklist that can be used. The City Manager stated that we have the Code to go by. Mayor Price stated that it has all been set up, and it is now sink or swim; there is only the productivity of one person to focus on now.

Mayor Price stated that it was time to return the Clean Water Presentation.

Clean Water Presentation by Madeleine Russell from Delaware Nature Society

Ms. Russell stated that Harrington is in the Chesapeake Bay watershed, and there are mandates for the reduction of pollutants. She presented a slide show on the causes of water pollution and ways to reduce it.

Mayor Price thanked Ms. Russell for her time.

Ordinance Review Committee

Code Rewrite Update

Council Member Porter stated that he would like to see an ordinance that takes care of issues like buildings falling down, abandoned vehicles, and anything that would be an eyesore. The other big thing is trash cans sitting on the streets. Council Member Porter stated that Lewis has ordinances that cleaned the town up. The City Solicitor stated that the code enforcement in the beach communities is very aggressive. Mayor Price stated that there will be a little bit of backlash from the constituents when code enforcement is changed and strengthened.

The City Manager stated that the Council had requested to have the Code rewritten last year and put some money in the budget for it. The estimated cost for that was \$79,770. She does not think we need to spend that much money. We can do a systematic approach to changing the Code and can look at the building maintenance area.

The City Solicitor asked what the Council is looking for in property maintenance because the International Property Maintenance Code has been adopted. Council Member Porter stated that it must not be enforced right. The City Manager stated that fines are not set up right and that is the problem. Council Member Stewart stated that for repeat offenders, the fine should double for the second offense. The costs for the Code rewrite and code enforcement are unacceptable.

The City Manager stated that we have a plan of how the Code will be reviewed. We will look at Kent County, Milford, and Dover then we will rewrite it, the City Solicitor will review it, and it will be presented to Council for a Public Hearing and adoption. It will not cost \$79,000 to do it.

Council Member Porter stated that adding teeth to the Property Maintenance Chapter would improve Harrington.

The Clerk of Council stated that most of what was proposed in Phase A is done. The Source Water Protection Ordinance will be done at any time. Mayor Price asked where the earmarked funds stand. The City Manager stated that \$41,740 has been earmarked in the CIP fund and \$28,047.93 has been spent so far. The Clerk of Council stated that Chapter 440 Zoning is estimated to cost \$14,660 and has not been completed yet.

Vice Mayor Lahman asked if there was a commitment to funding Phase B. The City Manager stated that no contract exists for any of the Code rewrite; it was only in the minutes.

Mayor Price asked if we would like to do the rest in house based on the priority list provided. The Clerk of Council explained that the list of Code

Chapters for Update with Priorities and Person Responsible lists every chapter in the Code and assigns one person to be responsible for reviewing that Chapter. Once reviewed, the changes would be submitted to the City Solicitor for review then brought before the Ordinance Review Committee and City Council.

Vice Mayor Lahman stated that the Council has talked before about handling this process internally and were told that it could not be done. The City Solicitor stated that there is now a different set of people in place. Mayor Price said that if we do this internally, we have the time and the staff, it will not cost nearly as much as anticipated.

The City Manager stated that she has asked the City Clerk to review how the City collects money. It is too lenient and will probably come to Council in February. It is a waste to send out certified letters to collect a bill.

Council Member Porter stated that he liked the article in the newspaper about the meters, and there should be some about cleaning Harrington up. People will know what is coming. Council Member Stewart stated that way citizens know that it is not just the Code Enforcement Officer but the community as a whole that is saying it is time to clean up the City.

Council Member Bivans stated that people are not opposed to enforcement but want it to be blanketed like streets being maintained and flooding controlled. The City needs more wins and those should be put in newspaper articles as well.

Council Member Stewart stated that the quarterly expense for code enforcement is high. The City Manager stated that the Code Enforcement Officer will cost what he will cost, but he could be more efficient. The contractual part can be removed but as long as there is a Code Enforcement Officer then there will be the cost of his salary. Council Member Stewart stated that some of that cost should come back in violations, so the cost would be reduced. The City Manager stated that it will never pay for itself entirely.

Vice Mayor Lahman stated that if the Code Enforcement Officer got to the point where he has everything documented then he could be going out to provide information to the public.

Council Member Porter asked what the City has done before to collect revenue from mobile homes. The City Manager stated that currently mobile homes are taxed, but it is very hard to collect. The City Solicitor stated that we are talking about following what Dover does, which is a license. Council Member Porter stated that is something that should be looked at as a revenue source.

Council Member Bivans asked for something tangible from the Code Enforcement Officer to see what is being done. The City Manager stated that there is a spreadsheet in her monthly report. Council Member Porter stated that an additional column is needed to say if the problem was corrected.

Council Member Stubbs asked how many radio read meters the City has currently. The City Manager stated about 300. Council Member Stubbs asked if all of the meters would be replaced. The City Manager stated that all meters will be replaced because having more than one type causes problems with reading, and we have had problems with the current Master meters. There are also new guidelines coming out about meters being lead free, and the current meters are not. Council Member Bivans stated that to make them uniform, all of the meters have to be replaced. The City Manager stated that the City should replace all the meters at once to have the job done and done right.

Council Member Porter asked for an updated list of Chapters that are priorities for rewrite. The Clerk of Council asked for feedback on what Chapters Council would like to see rewritten in addition to Property Maintenance. The City Manager stated that she would like to see the Mobile Homes Chapter addressed.

There being no further business, the Council Workshop adjourned.

Respectfully Submitted,

Kelly Blanchies
Clerk of Council